

Board of Supervisors Hearing Date: March 25, 2008
Project No. R2004-00610-(2)
Case No. Variance 200600005-(2)
Project Location: 1304 West 90th Place, Los Angeles

Project Applicant: Mr. Ajim Baksh

Regional Planning Commission Hearing Date: March 22, 2007
Regional Planning Commission Action: The Commission denied, by a vote of 4-0, the applicant's request for a variance to yard and driveway setback requirements and parking standards.

Synopsis

This is a retroactive request for a variance. The applicant constructed an unpermitted dwelling unit to an existing single family residence to create a duplex. The addition does not meet current development standards for dwelling units in a R-2 (Two Family Residential) zone. A variance is requested for the reduction of the yard and driveway setbacks and parking standards to legalize the unpermitted addition. The project is located in an R-2 zone within the West Athens-Westmont Zoned District.

At the March 7, 2007 public hearing, the Commission denied the request for a variance because the new addition was not constructed according to current development standards and should not have been built. The Commission concluded that the request does not meet the burden of proof for a variance and therefore the variance could not be granted.

Project Proponents

The applicant, the previous property owner, and the current property owner testified in support of the request.

Project Opposition

Mr. Henry Porter, a representative of the Southwest Community Association, spoke in opposition to the request stating that the building permits for the project were issued and subsequently revoked due to the erroneous information submitted to Building and Safety. Mr. Porter also testified that the area was densely developed and that overcrowded areas are characterized by higher crime rates. He also stated that the approval of the variance would not improve the quality of life for the surrounding area.

Issues

- The subject property does not comply with the following development standards:
 - Side yard setback width of four feet and six inches,
 - Three covered and one uncovered parking spaces,
 - Ten-foot wide driveway, and
 - 50 percent landscaping in the front yard.
- Plot Plan No. RPP20400370 approved on February 14, 2005 was revoked on October 11, 2005 because the proposed development did not correspond to the approved plot plan.
- Zoning Enforcement Case No. 06-0007297 was opened on the subject property because of storage of junk and salvage in the side yards, lack of covered parking, and the denied plot plan.
- The subject property does not have physical constraints or special characteristics that limit reasonable development. Other properties within 500 feet of the subject property, similar in size and in shape, are developed with duplexes that meet current development standards including yard setbacks, driveway width, and parking.

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